

REMARKS

Claims 1-16 and 19 are pending in this application. By this Amendment, claims 1, 15 and 16 are amended. No new matter is added.

The courtesies extended to Applicant's representative by Examiner Kiss at the interview held February 21, 2006, are appreciated. The reasons presented at the interview as warranting favorable action are incorporated into the remarks below and constitute Applicants' record of the interview.

Applicants appreciate and acknowledge the withdrawal of all prior grounds of rejection, including the rejection under 35 U.S.C. §112, second paragraph and the various art rejections based on 35 U.S.C. §103. Because no grounds of rejection based on prior art remain, it is respectfully submitted that all of pending claims 1-16 and 19 are patentably distinct and contain allowable subject matter, once the newly cited rejection based on §101 is overcome.

In the Office Action, claims 1-16 and 19 are now for the first time rejected under 35 U.S.C. §101 for allegedly not being directed to statutory subject matter. Applicants respectfully disagree.

However, to expedite prosecution, Applicants amend independent claims 1, 15 and 16 to clarify the practical application and the "useful, tangible and concrete result" achieved by the recited method, article of manufacture and system.

In particular, independent claim 1 is amended to specify that it is a "computer-implemented" method that provides "a common framework to define both imperative and declarative statements providing an intermediate level of abstraction that enables concise declarative notation while preserving low level imperative specifications through bi-valuation." Article claim 15 is similarly amended to clarify the practical application and now

recites a "computer readable storage device on a tangible medium" as structure to address the Examiner's concerns regarding providing statutory subject matter. System claim 16 is also similarly amended to clarify the practical application and recites a computer readable storage device and processor as structure. These changes are supported, for example, by page 2, lines 11-19 and 29-33, page 3, lines 8-10, page 28, lines 20-26, page 35, lines 16-36, and page 36, lines 13-26. No new matter is added.

It is respectfully submitted that one of ordinary skill in the art when reviewing Applicants' specification, particularly page 35, lines 16-36, would recognize a practical application to the claimed method, article and system, such as evaluation of or building of a programming language that is "less abstract and more general than rewriting systems but abstract enough to simplify and extend general purpose programming languages" by providing a common framework that enables definition and evaluation of both imperative and declarative statements (bi-valuation).

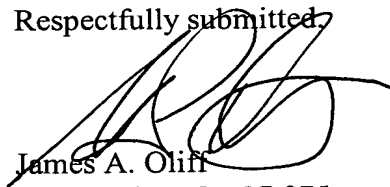
This is a "concrete, useful and tangible result" as it enables the definition of and evaluation of programming statements that can deal with arbitrary structural complexity while preserving relevant type control. Conventional programming languages were divided into either declarative or imperative types and could not achieve this intermediate level of abstraction. Thus, a useful and concrete result can be attained.

The subject matter of independent claims 1, 15 and 16 and claims dependent therefrom is thus directed to statutory subject matter. Withdrawal of the rejection is respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-16 and 19 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Stephen P. Catlin
Registration No. 36,101

JAO:SPC/spc

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OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

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